

the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

### GENERAL LEAVE

Mr. LAZIO of New York. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

### OMNIBUS INSULAR AREAS OF ACT OF 1996

Mr. GALLEGLY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1332) to establish certain policies and responsibilities with respect to the administration of the Rongelap Resettlement Trust Fund, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1332

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Omnibus Insular Areas Act of 1996".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title.

Sec. 2. Temporary absence of officials clarified.

Sec. 3. Amendments to priority of bonds and other obligations.

Sec. 4. Commission on the economic future of the Virgin Islands.

Sec. 5. Repeal of separate ballot requirement.

Sec. 6. Insular funding clarification.

Sec. 7. American Memorial Park.

Sec. 8. American Samoa Study Commission.

Sec. 9. Hawaiian Homes Commission.

#### SEC. 2. TEMPORARY ABSENCE OF OFFICIALS CLARIFIED.

Section 14 of the Revised Organic Act of the Virgin Islands (48 U.S.C. 1595) is amended by adding at the end the following new subsection:

"(g) An absence from the Virgin Islands of the Governor or the Lieutenant Governor, while on official business shall not be a 'temporary absence' for purposes of this section."

#### SEC. 3. AMENDMENTS TO PRIORITY OF BONDS AND OTHER OBLIGATIONS.

(a) AUTHORITY TO ISSUE OBLIGATIONS.—Section 3 of the Act entitled "An Act to authorize the government of the Virgin Islands to issue bonds in anticipation of revenue receipts and to authorize the guarantee of such bonds by the United States under specified conditions, and for other purposes", approved August 19, 1976 (48 U.S.C. 1574c), is amended—

(1) by striking "priority for payment" and inserting in lieu thereof "a parity lien with every other issue of bonds or other obligations issued for payment"; and

(2) by striking "in the order of the date of issue".

(b) APPLICATION.—The amendments made by this section shall apply to obligations issued on or after the date of the enactment of this Act.

#### SEC. 4. COMMISSION ON THE ECONOMIC FUTURE OF THE VIRGIN ISLANDS.

(a) ESTABLISHMENT AND MEMBERSHIP.—

(1) IN GENERAL.—There is hereby established a Commission on the Economic Future of the Virgin Islands (hereafter in this section referred to as the "Commission"). The Commission shall consist of six members appointed by the President, two of whom shall be selected from nominations made by the Governor of the Virgin Islands. The President shall designate one of the members of the Commission to be Chairman.

(2) SECRETARY OF INTERIOR EX OFFICIO MEMBER.—In addition to the six members appointed under paragraph (1), the Secretary of the Interior shall be an ex-officio member of the Commission.

(3) MEMBERS APPOINTED BY PRESIDENT.—Members of the Commission appointed by the President shall be persons who by virtue of their background and experience are particularly suited to contribute to achievement of the purposes of the Commission.

(4) COMPENSATION.—Members of the Commission shall serve without compensation, but may be reimbursed for travel, subsistence and other necessary expenses incurred by them in the performance of their duties.

(5) VACANCIES.—Any vacancy in the Commission shall be filled in the same manner as the original appointment was made.

(b) PURPOSE AND REPORT.—

(1) PURPOSE.—The purpose of the Commission is to make recommendations to the President and Congress on the policies and actions necessary to provide for a secure and self-sustaining future for the local economy of the Virgin Islands through 2020 and on the role of the Federal Government. In developing recommendations, the Commission shall—

(A) solicit and analyze information on projected private sector development and shifting tourism trends based on alternative forecasts of economic, political, and social conditions in the Caribbean;

(B) analyze capital infrastructure, education, social, health, and environmental needs in light of these alternative forecasts; and

(C) assemble relevant demographic, economic, and revenue and expenditure data from over the past 25 years.

(2) RECOMMENDATIONS AND REPORT.—The recommendations of the Commission shall be transmitted to the President, the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources of the United States House of Representatives no later than June 30, 1998. The report shall set forth the basis for the recommendations and include an analysis of the capability of the Virgin Islands to meet projected needs based on reasonable alternative economic, political, and social conditions in the Caribbean, including the expansion in the near future of Cuba to trade, tourism, and development.

(c) POWERS.—

(1) IN GENERAL.—The Commission may—

(A) hold such hearings, sit and act at such times and places, take such testimony and receive such evidence as it may deem advisable;

(B) use the United States mail in the same manner and upon the same conditions as departments and agencies of the United States; and

(C) within available funds, incur such expenses and enter into contracts or agreements for studies and surveys with public and private organizations and transfer funds to Federal agencies to carry out the Commission's functions.

(2) TECHNICAL AND ADMINISTRATIVE SUPPORT.—Within funds available for the Commission, the Secretary of the Interior shall

provide such office space, furnishings, equipment, staff, and fiscal and administrative services as the Commission may require.

(3) ASSISTANCE FROM FEDERAL AGENCIES.—The President, upon request of the Commission, may direct the head of any Federal agency or department to assist the Commission and if so directed such head shall—

(A) furnish the Commission to the extent permitted by law and within available appropriations such information as may be necessary for carrying out the functions of the Commission and as may be available to or procurable by such department or agency; and

(B) detail to temporary duty with the Commission on a reimbursable basis such personnel within his administrative jurisdiction as the Commission may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay or other employee status.

(d) CHAIRMAN.—Subject to general policies that the Commission may adopt, the chairman of the Commission shall be the chief executive officer of the Commission and shall exercise its executive and administrative powers. The chairman may make such provisions as he may deem appropriate authorizing the performance of his executive and administrative functions by the staff of the Commission.

(e) FUNDING.—The Department of the Interior is authorized to provide up to \$300,000 in each of the fiscal years 1997 and 1998 in technical assistance funding for the work of the Commission.

(f) TERMINATION.—The Commission shall terminate three months after the transmission of the report and recommendations under subsection (b)(2).

#### SEC. 5. REPEAL OF SEPARATE BALLOT REQUIREMENT.

(a) IN GENERAL.—Section 2(a) of the Act entitled "An Act to provide that the unincorporated territories of Guam and the Virgin Islands shall each be represented in Congress by a Delegate to the House of Representatives" approved April 10, 1972 (48 U.S.C. 1712(a)), is amended—

(1) by striking ", by separate ballot and"; and

(2) by inserting after the second sentence the following new sentence: "The Delegate representing the Virgin Islands shall be elected by separate ballot."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect January 1, 1997.

#### SEC. 6. INSULAR FUNDING CLARIFICATION.

The second sentence of subsection (a) of section 703 of the Northern Mariana Islands Covenant, as contained in section 1 of Public Law 94-241 (48 U.S.C. 1801 note), shall be construed as if "of the Government of the Northern Mariana Islands" were stricken.

#### SEC. 7. AMERICAN MEMORIAL PARK.

Section 5 of Public Law 95-348 (92 Stat. 492) is amended by striking subsection (f).

#### SEC. 8. AMERICAN SAMOA STUDY COMMISSION.

(a) FINDINGS.—The Congress finds that—

(1) the islands of Tutuila and Manua, and certain other islands that compose American Samoa, were ceded by the chiefs of the islands to the United States by two treaties or deeds of cession which were submitted to the United States Congress on April 10, 1900, and July 16, 1904;

(2) American Samoa's status as an unorganized and unincorporated territory of the United States, and American Samoa's political relationship to the United States, are not clearly defined in any single document;

(3) there is a need for a comprehensive study and review of the historical and legal basis of American Samoa's political relationship with the United States, including—

(A) a comprehensive report on American Samoa's present political relationship with the United States, as compared to other relationships such as independence, commonwealth, and free association; and

(B) an examination of whether the treaties or deeds of cession created trust obligations to American Samoa on the part of the United States;

(4) the economic and social needs of American Samoa are substantially affected by the nature of American Samoa's political relationship with the United States; and

(5) there is a need for a comprehensive study also of Swains Island and its historical relationship with the Tokelau Island Group.

(b) ESTABLISHMENT.—There is established a commission to be known as the "American Samoa Study Commission" (hereafter in this section referred to as the "Commission").

(c) DUTIES.—

(1) IN GENERAL.—It shall be the duty of the Commission—

(A) to study and evaluate all the factors that led to American Samoa's political relationship with the United States, including—

(i) the events that led to the cession to the United States of the islands that compose American Samoa; and

(ii) the constitutions, statutes, treaties, and agreements that affect American Samoa's political relationship with the United States;

(B) to document and report on the nature of American Samoa's political relationship with the United States; to document and also report on such political relationships as independence, commonwealth, and free association;

(C) to study and evaluate the impact of American Samoa's political status and relationship with the United States (as determined by the Commission under subparagraph (B)) on the economic and social needs of American Samoa and its residents;

(D) to study and report on whether the 1900 and 1904 instruments of cession were indeed treaties or deeds and how such instruments are recognized under international law; and

(E) to study and report on options available to improve American Samoa's economic self-sufficiency, given its remote location, limited land size, and changing world economics.

(2) CONSULTATION.—The Commission shall, to the maximum extent practicable, consult with American Samoans in carrying out the duties of the Commission under paragraph (1).

(d) MEMBERSHIP.—

(1) NUMBER AND APPOINTMENT.—The Commission shall be composed of five members appointed as follows:

(A) Three members appointed by the Secretary of Interior, including—

(i) one member appointed from among three individuals nominated by the legislature of the Territorial government of American Samoa; and

(ii) one member appointed from among three individuals nominated by the Governor of American Samoa.

(B) One member appointed by the Speaker of the United States House of Representatives.

(C) One member appointed by the President of the United States Senate.

(2) TERMS.—Each member shall be appointed for the life of the Commission.

(3) COMPENSATION.—Members of the Commission shall serve without compensation, but may be reimbursed for travel, subsistence and other necessary expenses incurred by them in the performance of their duties.

(4) QUORUM.—Three members of the Commission shall constitute a quorum, but a lesser number may hold hearings.

(5) CHAIRPERSON; VICE CHAIRPERSON.—The chairperson and vice chairperson of the Commission shall be elected by the members.

(6) MEETINGS.—(A) Not later than the expiration date of the 90 day period beginning on the date of the enactment of this Act, the Secretary of the Interior shall call the initial meeting of the members of the Commission.

(B) The chairperson or a majority of the members of the Commission shall call any meeting of the Commission that occurs after the meeting called under subparagraph (A).

(e) TECHNICAL AND ADMINISTRATIVE SUPPORT.—

(1) IN GENERAL.—Within funds available for the Commission, the Secretary of the Interior shall provide such office space, furnishings, equipment, staff, and fiscal and administrative services as the Commission may require.

(2) ASSISTANCE FROM FEDERAL AGENCIES.—The President, upon request of the Commission, may direct the head of any Federal agency or department to assist the Commission and if so directed such head shall—

(A) furnish the Commission to the extent permitted by law and within available appropriations such information as may be necessary for carrying out the functions of the Commission and as may be available to or procurable by such department or agency; and

(B) detail to temporary duty with the Commission on a reimbursable basis such personnel within his administrative jurisdiction as the Commission may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay or other employee status.

(f) POWERS OF COMMISSION.—

(1) HEARINGS.—(A) The Commission may, for the purpose of carrying out this section, hold hearings, sit and act at times and locations, take testimony, and receive evidence as the Commission considers appropriate.

(B)(i) The Commission shall conduct at least 1 hearing at any location on each of—

(I) Tutuila;

(II) Ofu;

(III) Olosega; and

(IV) Tau.

(ii) The Commission may conduct at least three separate hearings in the United States at locations where significant numbers of American Samoans reside.

(C) The Commission shall provide notice to the public of the hearings referred to in subparagraphs (A) and (B), including information regarding the date, topic and location of the meeting, and shall take other actions as the Commission considers necessary to obtain, to the maximum extent practicable, public participation in the hearings.

(2) DELEGATION OF AUTHORITY.—Any member or agent of the Commission may, if authorized by the Commission, take any action that the Commission is authorized to take by this section.

(3) OBTAINING OFFICIAL DATA.—(A) The Commission may secure directly from any Federal agency and the Library of Congress information necessary to enable it to carry out this section. Upon the request of the Chairperson of the Commission, the head of the Federal agency or Library of Congress shall furnish the information to the Commission.

(B) Subparagraph (A) shall not apply to any information that the Commission is prohibited to secure or request by another law.

(4) MAIL.—The Commission may use the United States mail in the same manner and under the same conditions as the other Federal agencies.

(g) REPORTS.—(1)(A) Not later than the expiration of the 1-year period beginning on the date of the enactment of this Act, the

Commission shall prepare and publish a draft report containing the findings, conclusions and recommendations of the Commission.

(B) The Commission shall distribute such report to appropriate Federal and American Samoa agencies and shall make such report available to members of the public upon request.

(C) The Commission shall solicit written comments from the Federal and American Samoa agencies and other persons to which copies of such report are distributed under subparagraph (B).

(2) Not later than the expiration of the 9-month period beginning on the date of the publication of the report required by paragraph (1)(A), the Commission shall submit to the President and the Congress a final report, which shall include—

(A) a detailed statement of the findings and conclusions made by the Commission after consideration of the comments received by the Commission under paragraph (1)(C);

(B) the recommendations of the Commission for legislative and administrative actions that the Commission determines to be appropriate; and

(C) copies of all written comments received by the Commission under paragraph (1)(C).

(h) DEFINITIONS.—For the purposes of this section:

(1) The term "American Samoan" has the meaning given the term "native American Samoan" in section 4 of Public Law 100-571 (16 U.S.C. 410qq-3).

(2) The term "Commission" means the American Samoa Study Commission established in subsection (b).

(i) FUNDING.—(1) Subject to paragraph (2), the Department of the Interior is authorized to provide up to \$225,000 in each of the fiscal years 1997 and 1998 in technical assistance funding for the work of the Commission.

(2) Amounts provided pursuant to paragraph (1) may not exceed 75 percent of the total amount provided for the Commission and shall be provided on a matching basis. The non-Federal share of such amount shall be provided in cash by the Government of American Samoa.

(j) TERMINATION.—The Commission shall terminate not later than the expiration of the 60-day period beginning on the date on which the Commission submits its final report under subsection (g).

#### SEC. 9. HAWAIIAN HOMES COMMISSION.

That, as required by section 4 of the Act entitled "An Act to provide for the admission of the State of Hawaii into the Union", approved March 18, 1959 (73 Stat. 4), the United States consents to the following amendments to the Hawaiian Homes Commission Act, 1920, adopted by the State of Hawaii in the manner required for State legislation:

(1) Act 339 of the Session Laws of Hawaii, 1993.

(2) Act 37 of the Session Laws of Hawaii, 1994.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. GALLEGLY] and the gentleman from American Samoa [Mr. FALEOMAVAEGA] each will control 20 minutes.

The Chair recognizes the gentleman from California [Mr. GALLEGLY].

(Mr. GALLEGLY asked and was given permission to revise and extend his remarks.)

Mr. GALLEGLY. Mr. Speaker, the Omnibus Insular Areas Act of 1996, H.R. 1332, includes a number of measures largely technical in nature affecting some of our U.S. territories as well as the native Hawaiians. These provisions

have been developed based on hearings and consultations with leaders from the islands during the first and second sessions of the 104th Congress.

All are noncontroversial, and enjoy bipartisan support. The administration has testified in support of a majority of the provisions and have now indicated no opposition to certain measures which have been modified to address any major concerns.

Let me briefly explain the individual sections of the bill, which are listed in section 1. Sections 2, 3, and 4 affect the U.S. Virgin Islands. Section 2 would clarify that the physical absence of the Governor or Lieutenant Governor would not constitute a temporary absence which triggers a transfer of authority to the next administration official in the chain of command. Modern telecommunications enable the Governor and Lieutenant Governor to retain communication with the Virgin Islands from virtually anywhere in the United States or the world.

Section 3 will enable the Virgin Islands to issue parity bonds rather than priority bonds. This is consistent with the current practice with most State and local governments and will potentially save money for the Virgin Islands.

There is a bipartisan consensus of leaders in the Virgin Islands and Congress that a focused effort is needed to develop a plan which would assist the Virgin Islands in moving toward economic self-sufficiency. Section 4 would establish a commission appointed by the President, who would make recommendations to the Congress by mid-1998, when the commission would expire.

The Government of Guam and the Delegate from Guam have requested that Guam be given the power to conduct the election for delegate by separate ballot. The provision of section 5 will save Guam the costs of printing separate ballots for the election of one position.

Section 6 is a technical clarification providing for similar treatment of certain Federal insular funds received by any territory. Northern Mariana Islands special grant funding is considered to be local funds once received, and any funds received by a territory from this source would also be considered local upon receipt.

The American Memorial Park established in Saipan in the Northern Mariana Islands has become one of the premier monuments in the Western Pacific honoring the sacrifices of our Armed Forces during World War II. Over \$3 million were spent to build a world-class memorial. This is befitting the honor due to our men and women who fought over the very ground upon which the memorial stands. The amendment in section 7 would insure that the continued operation of the American Memorial Park under the National Park Service rather than the local Marianas government.

Section 8 provides for a short-term commission to examine the near cen-

tury-long relationship of American Samoa as a territory of the United States and the economic needs of the islands. The Delegate from American Samoa is the primary advocate for this action, and I concur with the need to review the territory's economic development potential.

The last section is largely ministerial in nature as current law provides for the Congress to give final approval to any proposed change of the Hawaii State Legislature to the Hawaiian Homes Commission. The two measures adopted by the Hawaii's legislative body do not result in any increased costs to the Federal Government, but both will be helpful to native Hawaiians. Grandchildren of a native Hawaiian leaseholder would be permitted to assume the remainder of the home lease should that individual die and the other will help in the area of disaster relief bonds.

I want to commend members on both sides of the aisle for their interest and support of the various issues affecting our territories. It is through bipartisanship that we have been able to forget a consensus on action necessary for the island and I urge my colleagues to support H.R. 1332, the Omnibus Areas Act of 1996.

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Mr. Speaker, I really cannot over-emphasize the bipartisan effort that has gone into putting this together, not only with the ranking member, but all the other members of the subcommittee that I am very proud to serve with.

Mr. Speaker, I reserve the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Guam [Mr. UNDERWOOD].

Mr. UNDERWOOD. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise today in support of H.R. 1332, the Omnibus Insular Areas Act of 1996. I would especially like to commend the chairman of the Subcommittee on Native American and Insular Affairs, the gentleman from California [Mr. GALLEGLY], and the ranking member of the subcommittee, my brother, the gentleman from the Pacific islands and American Samoa [Mr. FALEOMAVAEGA], for their hard work in putting this bill together.

I also commend the chairman of the committee, the gentleman from Alaska [Mr. YOUNG], and the ranking member, the gentleman from California [Mr. MILLER], for their continued commitment to addressing issues that are of vital importance to the insular areas.

Mr. Speaker, this omnibus bill has important provisions for the insular areas. It is, however, regrettable that the Subcommittee on Native American and Insular Affairs and the Committee on Resources were not able to complete the work on other provisions of interest to the insular areas, especially in-

cluding the Guam Land Return Act, certainly of particular interest to the people of Guam.

The issue of returning excess Federal lands to the people of Guam is one that continues to command importance, and it is certainly important to the continual good relations that the Guam civilian community has with the military as we go into a new era of downsizing.

But this should not be the cause to impede the progress that we have made on many other issues that are included in this bill, including the authorization of the American Samoa Study Commission, a commission on the economic future of the Virgin Islands, and technical amendments that help to clarify certain Federal laws.

The Committee on Resources can look forward to the 105th Congress with a sense of where we left off in dealing with the other issues that were not included in this bill. I would again urge the committee to work with Guam to resolve the longstanding issue of the return of Federal excess lands to the people of Guam. This is an issue that has made significant progress in the past year, and it is indeed very unfortunate that at the latest possible moment the administration's opposition to the Guam Land Return Act, due in large measure to the uncompromising position of the U.S. Fish and Wildlife Service, has made it very difficult to reach a final agreement on including this provision in the House omnibus bill.

Mr. Speaker, I remain optimistic that the Senate will be able to pass its own omnibus bill on similar topics which include the Guam Land Return Act. It is appropriate that as we end the 104th Congress with an Omnibus Insular Areas Act that it is in fact supported in a bipartisan manner, as alluded to by the chairman of the subcommittee. This is truly the only way to approach insular issues.

Our issues are not necessarily national in scope at times, are not Democratic or Republican issues, but they are issues which tug at the nature of what it means to have an American democracy and test our commitment to what it means to implement American democracy in those areas which fly the flag.

Territories have their own unique histories, and we are able to continue to make progress under the U.S. flag in a bipartisan way. That is really the only way that it can occur.

Again, I commend the Committee on Resources and the leadership in both the majority and minority for working in a bipartisan manner on behalf of the territories.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume.

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Speaker, I certainly would like to commend the gentleman from Guam [Mr.

UNDERWOOD] for his profound statements on a very unfortunate situation, as he had related earlier, about the Guam excess lands and the problems that we had with the Fish and Wildlife Service. It is my earnest hope that we will continue to work with him, and as well with our good friend, the gentleman from the other side of the aisle, so that we can resolve this problem, and hopefully that we will be able to proceed at the earliest possible time in the next Congress.

Mr. Speaker, also, I want to commend and thank my good friend, the gentleman from California [Mr. GALLEGLY], the chairman of the subcommittee, for bringing this legislation to the floor for the consideration of the Members.

Mr. Speaker, I rise today in strong support of H.R. 1332, the Omnibus Insular Areas Act of 1996.

Mr. Speaker, this bill has been 2 years in the making and it has undergone substantial change during this time. While I support all the provisions in the bill, there are many more issues affecting the U.S. insular areas which need attention. Unfortunately, the time remaining in this Congress has necessitated the exclusion of several significant provisions, which I hope we can address early next year.

To assist the government of the U.S. Virgin Islands operate more efficiently, section 23 of this bill permits the Governor and Lieutenant Governor to retain the authority of their office while on official business outside of the Virgin Islands. Section 3 changes the priority of municipal bonds issued by the government of the Virgin Islands so that later issues of bonds will not necessarily have to carry a higher interest rate. A third provision will establish a commission to make recommendations on how the Virgin Islands might best develop its economy in light of changing trade and tourism patterns.

To assist the government of Guam to operate more efficiently, section 5 of H.R. 1332 permits the local government to combine the ballot for the Delegate's position with the ballots for other local elections, such as seats in the Guam legislature for Governor.

Under current Federal law, the ballot for the Delegate position must be separate from all other ballots. The government of Guam uses optical scanners to read voters' ballots, and there is considerable waste in time and paper in scanning full sheets of paper with only one mark on them. Although the title of the act being amended in section 5(a) includes both Guam and the Virgin Islands, I wish to make it clear that as drafted and at the request of the Delegate from the Virgin Islands, the provision in the bill changes the law only for Guam.

To assist the territorial governments to manage their financial assets more efficiently and to take better advantage of funding opportunities as they become available, section 6 of H.R. 1332 will permit territorial governments re-

ceiving funding pursuant to Public Law 94-241 to use those funds as local funds for matching requirements toward Federal grants. This problem most often occurs after a hurricane or typhoon has stricken a territory. In the aftermath of such a calamity, the territory quickly draws down its limited financial reserves, if it has any, and then is unable to obtain any FEMA emergency grants which require local matching funds because they have no unobligated funds to use as the match.

The Commonwealth of the Northern Mariana Islands is the home of the American Memorial Park. The park was developed by the U.S. National Park Service and Public Law 95-348 authorized the Park Service to transfer the park to the government of the Commonwealth of the Northern Mariana Islands. Circumstances have changed since that law was enacted, and today the Park Service and the government of the CNMI wish the Park Service to retain management of this park. Section 7 of H.R. 1332 repeals the authorization for the Park Service to transfer the park.

Section 9 of the bill amends the Hawaiian Homes Commission Act of 1920 in two ways. First, it will permit the lease of trust lands to grandchildren, so long as they have a 25-percent blood quantum requirement. The second amendment will establish a native Hawaiian hurricane relief fund.

Finally, Mr. Speaker, section 8 of this bill will establish a commission to study American Samoa's historical relationship with the United States, and to provide options available to the government to develop the local economy. I am including with this statement a copy of a letter signed by Chairman DON YOUNG, Chairman ELTON GALLEGLY, and myself in support of this provision.

The territory of American Samoa is the only unorganized, unincorporated territory of the United States. There is no single document which reflects the present unity of the territory. To make matters more confusing, there has been a running debate for decades over the intent of the Samoan traditional leaders or chiefs who signed the documents joining American Samoa and the United States into a political union. Whether the intent was to cede the land and people to the United States, or to enter into a bilateral treaty, which would, at some point, be subject to further negotiations, is not clear.

The Commission would document and report on exactly what took place 96 years ago when the eastern part of the Samoan island group became part of the United States, and what this bilateral relationship has developed into since 1900. The commission would also be directed to report on the various status options available to American Samoa. The Commission would be composed of five members, three of whom would be appointed by the Secretary of the Interior, one by the Speaker of the U.S. House of Representatives, and one by the President of the U.S. Senate.

I want to emphasize that unlike the sometimes contentious negotiations on political status in Guam and the always contentious discussions on political status in Puerto Rico, this proposal does not, and I want to say this again, this legislation does not establish a political status commission. The Commission will not have the authority to change American Samoa's political status. The Commission is modeled after the Commissions which studied native Hawaiian, native American, and Native Alaskan issues. These three commissions provided resource materials which have been of significant benefit to these groups and to those who are interested in the history of these issues.

The establishment of the American Samoa Commission has been a topic of discussion in American Samoa ever since I first proposed it several years ago. Some have questioned the need for a Federal commission, indicating that there is more than sufficient talent in American Samoa to convene a commission of this nature. In response, let me say that I agree that there are many individuals in Samoa with the knowledge and experience to make excellent members of the Commission I propose, and I hope that some of these individuals will sit on the Commission. The key, however, is having access to the resources of the Federal Government, such as the Library of Congress, and access to the records of the Federal departments and agencies, including the material contained in the National Archives. It is one through a Federal commission that we can ensure that these resources are made available.

American Samoa has been the subject of two Federal study commissions; one was established in 1929 and the other in 1960. Both of the commissions made substantive recommendations which have led to major improvements in American Samoa. The last report was 36 years ago, and it is time again that we had the benefit of this expertise and different perspective.

Mr. Speaker, this bill would not be before the House today without considerable effort and leadership on the parts of Chairman DON YOUNG, Chairman ELTON GALLEGLY, senior Democratic Member GEORGE MILLER, and their staffs. I appreciate the hard work of all these individuals and their willingness to work together for the benefit of the territories. I want to comment again also on the bipartisan manner Chairman GALLEGLY has managed the business of the Subcommittee on Native American and Insular Affairs. We have not agreed on every issue, but we have continued to work together and have passed many pieces of legislation which are or we expect to become public law.

Mr. Speaker, H.R. 1332 includes a modest list of provision to help our territories. I ask my colleagues to support these insular areas in this bill.

Mr. Speaker, I include for the RECORD the following letter from the chairman of the subcommittee.

The letter referred to is as follows:

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON RESOURCES,  
Washington, DC, September 25, 1996.

Hon. FRANK H. MURKOWSKI,  
U.S. Senator, Washington, DC.

DEAR MR. CHAIRMAN: We have been working for months on an omnibus territories bill which we would like to get through the House and the Senate before the 104th Congress adjourns. A copy of that legislation is enclosed.

As you can see, we have been making a good faith effort to include provisions which both houses have been working on during this Congress. It was brought to our attention this week, however, that there is opposition to Section 8 of the legislation which would provide for a commission to study American Samoa's 96-year relationship with the U.S. and the options available to improve the territory's future governmental and economic relationship with the United States.

The Commission for Samoa is similar to the federal study commissions we have established for the Native Americans, Native Alaskans and the Native Hawaiians. Additionally, the legislation has been pending in the House for four years, and it has the support of Samoa's Delegate, the Governor, and a majority of Samoa's residents.

We support all eight of the provisions in this bill, and ask for your support so that we can provide this assistance to the territories.

Sincerely,

DON YOUNG,  
Chairman, Committee on Resources.

ELTON GALLEGLY,  
Chairman, Subcommittee on Native American and Insular Affairs.

ENI F.H. FALEOMAVAEGA,  
Senior Democratic Member, Subcommittee on Native American and Insular Affairs.

Mr. Speaker, I urge my colleagues to support this legislation. I have no further requests for time, and I yield back the balance of my time.

Mr. GALLEGLY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. GALLEGLY] that the House suspend the rules and pass the bill, H.R. 1332, as amended.

The question was taken.

Mr. FALEOMAVAEGA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### GENERAL LEAVE

Mr. GALLEGLY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

#### CORRECTION REGARDING LEGISLATION TO BE CONSIDERED UNDER SUSPENSION OF THE RULE TODAY

Mr. SAXTON. Mr. Speaker, pursuant to House Resolution 525, the following suspension is expected to be considered today: H.R. 3632, Patient Reviews in Nursing Facilities. The bill was noticed earlier with an incorrect number. The correct number is H.R. 3632.

#### □ 1315

#### NATIONAL MARINE SANCTUARIES PRESERVATION

Mr. SAXTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 543) to approve a governing international fishery agreement between the United States and the Republic of Estonia, as amended.

The Clerk read as follows:

H.R. 543

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "National Marine Sanctuaries Preservation Act".

#### SEC. 2. AMENDMENT OF NATIONAL MARINE SANCTUARIES ACT.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of National Marine Sanctuaries Act (16 U.S.C. 1431-1445a).

#### SEC. 3. REAUTHORIZATION OF THE NATIONAL MARINE SANCTUARIES ACT.

Section 313 (16 U.S.C. 1444) is amended to read as follows:

#### "SEC. 313. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to the Secretary to carry out this title—

"(1) \$12,000,000 for fiscal year 1997;

"(2) \$15,000,000 for fiscal year 1998; and

"(3) \$18,000,000 for fiscal year 1999."

#### SEC. 4. MANAGEMENT, RECOVERY, AND PRESERVATION PLAN FOR U.S.S. MONITOR.

The Secretary of Commerce shall, within 12 months after the date of the enactment of this Act, prepare and submit to the Committee on Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a long-range, comprehensive plan for the management, stabilization, preservation, and recovery of artifacts and materials of the United States Ship Monitor. In preparing and implementing the plan, the Secretary shall to the extent feasible utilize the resources of other Federal and private entities with expertise and capabilities that are helpful.

#### SEC. 5. PUBLICATION OF NOTICE OF CERTAIN ADVISORY COUNCIL MEETINGS.

Section 315(e)(3) (16 U.S.C. 1445a(e)(3)) is amended by inserting before the period at the end the following: ", except that in the case of a meeting of an Advisory Council established to provide assistance regarding any individual national marine sanctuary the notice is not required to be published in the Federal Register".

#### SEC. 6. ENHANCING SUPPORT FOR NATIONAL MARINE SANCTUARIES.

(a) INCORPORATION OF EXISTING PROVISION.—Section 316 (16 U.S.C. 1445 note) is redesignated as section 317, section 2204 of the National Marine Sanctuaries Program

Amendments Act of 1992 (106 Stat. 5049) is moved so as to appear in the National Marine Sanctuaries Act following section 315, and that moved section is designated as section 316 of the National Marine Sanctuaries Act.

(b) AMENDMENT OF INCORPORATED SECTION.—Section 316, as moved and designated by subsection (a) of this section, is amended as follows:

(1) Subsections (a), (g), and (h) are struck, and subsections (b), (c), (d), (e), and (f) are redesignated as subsections (a), (b), (c), (d), and (e), respectively.

(2) In subsection (a), as so redesignated, the matter preceding paragraph (1) is struck and the following is inserted:

"(a) AUTHORITY.—The Secretary may establish a program consisting of—"

(3) In subsection (a)(5), as so redesignated—  
(A) "establishment" is struck and "solicitation" is inserted; and

(B) "fees" is struck and "monetary or in-kind contributions" is inserted.

(4) In subsection (a)(6), as so redesignated—  
(A) "fees" is struck and "monetary or in-kind contributions" is inserted; and

(B) "paragraph (5)" is struck and "paragraphs (5) and (6)" is inserted;

(C) "assessed" is struck and "collected" is inserted; and

(D) "in an interest-bearing revolving fund" is struck.

(5) In subsection (a)(7), as so redesignated—  
(A) "and use" is inserted after "expenditure";

(B) "fees" is struck and "monetary and in-kind contributions" is inserted; and

(C) "and any interest in the fund established under paragraph (6)" is struck.

(6) In subsection (a), as so redesignated, paragraphs (5), (6), and (7) are redesignated in order as paragraphs (6), (7), and (8), and the following new paragraph is inserted after paragraph (4):

"(5) the creation, marketing, and selling of products to promote the national marine sanctuary program, and entering into exclusive or nonexclusive agreements authorizing entities to create, market or sell on the Secretary's behalf;"

(7) The following new sentence is added at the end of subsection (a), as so redesignated: "Monetary and in-kind contributions raised through the sale, marketing, or use of symbols and products related to an individual national marine sanctuary shall be used to support that sanctuary."

(8) In subsection (e), as so redesignated—

(A) paragraph (2) is struck;

(B) in paragraph (1), "(1)" is struck, and subparagraphs (A), (B), (C), and (D) are redesignated as paragraphs (1), (2), (3), and (4); and

(C) in paragraph (3), as so redesignated, "fee" is struck and "monetary or in-kind contribution" is inserted.

(9) In each of subsections (b), (c), and (d), as so redesignated, by striking "subsection (b)" and inserting "subsection (a)".

#### SEC. 7. HAWAIIAN ISLANDS NATIONAL MARINE SANCTUARY.

(a) INCLUSION OF KAHOO LAWE ISLAND WATERS.—Section 2305 of the Hawaiian Islands National Marine Sanctuary Act (16 U.S.C. 1433 note) is amended—

(1) in subsection (a)—

(A) by striking "(A)" and inserting "(a)"; and

(B) by striking "the area described in subsection (b) is" and inserting "the area described in subsection (b)(1) and any area included under subsection (b)(2) are";

(2) by amending subsection (b)(2) to read as follows:

"(2)(A) Within 6 months after the date of receipt of a request in writing from the Kahoolawe Island Reserve Commission for